

Charles McFadden,	)	
	)	C.A. No.
Plaintiff,	)	
	)	<b>NOTICE OF REMOVAL</b>
v.	)	
	)	
The Town of Lane,	)	
	)	
Defendant.	)	
	)	
	)	

Pursuant to 28 U.S.C. § 1441(a) and (b), Defendant files this Notice of Removal to remove this action from the Court of Common Pleas for Williamsburg County, South Carolina, to the United States District Court for the District of South Carolina, and state:

2. The action is a civil action over which this court has original and removal jurisdiction under 28 U.S.C. §§ 1331 and 1441(a) and (c). In particular, it appears upon the face of the Complaint that this action arises under the Constitution and laws of the United States, specifically, the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* More specifically, Plaintiff alleges that Defendant was required by law, *i.e.*, 29 U.S.C. § 207, to pay him overtime and that Defendant denied him overtime pay during his employment.

3. This Notice of Removal is filed within thirty (30) days after service of the Summons and Complaint upon Defendant and is, therefore, timely under 28 U.S.C. § 1446(b).

4. Copies of all proceedings, pleadings and papers served on Defendant to date are attached and filed with this Notice of Removal.

5. Written notice of the filing of this Notice of Removal will be promptly served on Plaintiff.

6. A true and correct copy of this Notice of Removal will be filed with the Clerk of Court for the Court of Common Pleas for Williamsburg County, South Carolina, as provided under 28 U.S.C. § 1446(d).

WHEREFORE, Defendant removes this action to this Court's jurisdiction.

Columbia, South Carolina

February 16, 2017

s/ Christopher W. Johnson  
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